

R317-4 Stakeholder Workgroup

DRAFT MEETING NOTES

October 1, 2012 (2nd meeting)

Workgroup Members Present/ Representing:

Name/ Representing:

Walt Baker, Director, Water Quality Division

Ed Macauley, Section Manager, Water Quality Division

David Snyder, DWQ Onsite Program, Water Quality Division

Tracy Richardson, Chairman, LHD Rules Revision Work Group

Carl Shupe, LHD Rules Revision Work Group Member

Kate Johnson, DDW Administrative Services Section Manager

Craig Anderson, Attorney General's Office

Terral Dunn, Rural Water Association

Richard Jex, Supplier

Ben Witt, Installer

Steven Biggs, Septage Hauler/Liquid Scavenger

Brent Ovard Utah Onsite Wastewater Association (UOWA)

Clyde Watkins, Rural Water Association of Utah

Dan Tuttle, Mining interest

Mike Huber, P.E., Designer

Taz Biesinger, Utah Home Builders Assoc.

Jay Harkwood, Gravel

Jesse Lassley, Developer

J. Craig Smith, Rural Property Rights

Brian Slade, LHD Rules Revision Work Group member

Jeremy Roberts, LHD Rules Revision Work Group member

Sterling Brown, Utah Farm Bureau

Chris Sloan, Utah Assoc. of Realtors

Brandon Bradford, Southeastern Utah Dist. Health Dept. (on phone)

Richard Worley, Bear River Health Department (on phone)

XXX, Bear River Health Department (on phone)

Workgroup Members Invited/ Excused

Judy Sims, USU Water Lab, Director of On-site Education

Gage Froerer, Utah Realtors Association

Cameron Diehl, Utah League of Cities and Towns

Invited Associated General Contractors of Utah

Summary by Agenda Item

1. Welcome, Introductions, Review of Last Meeting & Summary, Ground rules, Meeting process

- a. All the above subjects were discussed. Why re-write of entire rule R317-4 was asked and discussion followed.

2. Major Topics of Concern

- a. The list of concerns developed from the last stakeholders meeting and from some of the written comments submitted was presented and several concerns were discussed. Some issues were identified as not part of this rule and reasons given. Other issues were discussed, and identified as needing more discussion in future meetings. The concerns discussed:
 - i. Enforcement- Walt Baker and Craig Anderson, explained that these rules are the responsibility of the Local Health Departments (LHD), and are expected to be followed. Future meeting will be held between the Division of Water Quality (DWQ) and LHD for this expectation. It was expressed that this topic of enforcement would not be addressed in the rule revision. Now is the time to change/ modify a rule that LHD has difficulty in following. It was realized that many of the written and oral comments regarding other sections of the rule, have concerns about enforcement of following them, and enforcement concerns of those different disciplines applying the rules, i.e. designers, regulators, etc.,
 - ii. Alternative Systems- Currently and in proposed rule, all LHD have the option of administering the Alternative System program or not. Several stakeholders expressed that this position is not acceptable and denies future homeowners the opportunity to build, when technology and current rules allow it, but because LHD chose for unknown reasons, not to obtain this administration. Much discussion followed. It was decided to carry this concern over to the next meeting, with results of DWQ polling the various LHD's reason why they don't want the program and why the other LHD's obtained the program, as a starting point to see if there could be a solution to this gap.
 - iii. Lot size- Tracy Richardson, representative of the rule revision work group explained the various methods in determining minimum lot size from current to proposed rule. Explanation was given why the small increase was proposed using this method. Several stakeholders expressed their disapproval of this change and offered reasons. More discussion followed. Tracy then offered, with backing from a previous meeting with LHD's, to use the table from the existing rule, using this method of sizing. Therefore there would be no increase of minimum lot size when using this method.. This proposal was accepted by the majority of this stakeholders meeting members.
 - iv. Soils- percolation tests vs soil evaluation. Knowing that this topic would need a more lengthy time period to discuss, it was presented to carry this topic over to the next meeting. Eventually this occurred, but several stakeholders reiterated their concerns of needing more training, higher level of experience, 3rd party overview.
 - v. Because of the lateness of the meeting (5:00pm), the other items on the Major Topics of Concern were not discussed at this meeting, but will be carried over to a future meeting.

3. Next meeting/ topics, etc.-

- a. Next meeting will be November 5, 2012, 1:30, Monday. Same room.
- b. Topics/ concerns
 - i. Alternative Systems- Administration
 - ii. Soils- Percolation tests vs Soils evaluation
 - iii. Start reviewing submitted written comments